

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED MARKETING SOLUTIONS, INC.)	
)	
Plaintiff,)	
)	CASE NO. 1:09-CV-1392
v.)	
)	
ANGIE M. FOWLER, et al,)	
)	
Defendants.)	

ORDER

THIS MATTER is before the Court on Plaintiff United Marketing Solution, Inc.'s and Defendants Timothy and Angie Fowler's cross-motions for Summary Judgment and Defendants' Motion in Limine to exclude certain evidence.

For the reasons stated in open Court on October 8, 2010, it is hereby

ORDERED that Plaintiff's Motion for Summary Judgment on the issue of liability for breach of contract is GRANTED. It is

further ORDERED that the parties' respective motions for summary judgment on the issue of lost profits damages are DENIED. It is

further ORDERED that Defendants' Motion for Summary Judgment on the issue of equitable relief is GRANTED. Finally, it is

ORDERED that Defendants' Motion in Limine is GRANTED in part and DENIED in part. Plaintiff will be permitted to offer evidence of the fact that it is out of business. Evidence regarding the reason Plaintiff went out of business and the alleged conspiracy between the Fowlers and other franchisees to leave Plaintiff's franchise system is excluded as irrelevant.

The Clerk is directed to forward a copy of this Order to counsel of record.

ENTERED this 20th day of October, 2010.

Alexandria, Virginia
10/20/2010

/s/
Gerald Bruce Lee
United States District Judge